

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Committee Substitute for Senate Bill No. 107, Page 1, Section A, Line 4, by
2 inserting immediately after said line the following:

3 "193.015. As used in sections 193.005 to 193.325, unless the context clearly indicates
4 otherwise, the following terms shall mean:

5 (1) "Advanced practice registered nurse", a person licensed to practice as an advanced
6 practice registered nurse under chapter 335;

7 (2) "Assistant physician", as such term is defined in section 334.036;

8 (3) "Dead body", a human body or such parts of such human body from the condition of
9 which it reasonably may be concluded that death recently occurred;

10 [(2)] (4) "Department", the department of health and senior services;

11 [(3)] (5) "Final disposition", the burial, interment, cremation, removal from the state, or
12 other authorized disposition of a dead body or fetus;

13 [(4)] (6) "Institution", any establishment, public or private, which provides inpatient or
14 outpatient medical, surgical, or diagnostic care or treatment or nursing, custodian, or domiciliary
15 care, or to which persons are committed by law;

16 [(5)] (7) "Live birth", the complete expulsion or extraction from its mother of a child,
17 irrespective of the duration of pregnancy, which after such expulsion or extraction, breathes or shows
18 any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite
19 movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is
20 attached;

21 [(6)] (8) "Physician", a person authorized or licensed to practice medicine or osteopathy
22 pursuant to chapter 334;

23 [(7)] (9) "Physician assistant", a person licensed to practice as a physician assistant under
24 chapter 334;

25 (10) "Spontaneous fetal death", a noninduced death prior to the complete expulsion or
26 extraction from its mother of a fetus, irrespective of the duration of pregnancy; the death is indicated
27 by the fact that after such expulsion or extraction the fetus does not breathe or show any other
28 evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of
29 voluntary muscles;

30 [(8)] (11) "State registrar", state registrar of vital statistics of the state of Missouri;

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1 [(9)] (12) "System of vital statistics", the registration, collection, preservation, amendment
2 and certification of vital records; the collection of other reports required by sections 193.005 to
3 193.325 and section 194.060; and activities related thereto including the tabulation, analysis and
4 publication of vital statistics;

5 [(10)] (13) "Vital records", certificates or reports of birth, death, marriage, dissolution of
6 marriage and data related thereto;

7 [(11)] (14) "Vital statistics", the data derived from certificates and reports of birth, death,
8 spontaneous fetal death, marriage, dissolution of marriage and related reports.

9 193.145. 1. A certificate of death for each death which occurs in this state shall be filed with
10 the local registrar, or as otherwise directed by the state registrar, within five days after death and
11 shall be registered if such certificate has been completed and filed pursuant to this section. All data
12 providers in the death registration process, including, but not limited to, the state registrar, local
13 registrars, the state medical examiner, county medical examiners, coroners, funeral directors or
14 persons acting as such, embalmers, sheriffs, attending physicians and resident physicians, physician
15 assistants, assistant physicians, advanced practice registered nurses, and the chief medical officers of
16 licensed health care facilities, and other public or private institutions providing medical care,
17 treatment, or confinement to persons, shall be required to use and utilize any electronic death
18 registration system required and adopted under subsection 1 of section 193.265 within six months of
19 the system being certified by the director of the department of health and senior services, or the
20 director's designee, to be operational and available to all data providers in the death registration
21 process. However, should the person or entity that certifies the cause of death not be part of, or does
22 not use, the electronic death registration system, the funeral director or person acting as such may
23 enter the required personal data into the electronic death registration system and then complete the
24 filing by presenting the signed cause of death certification to the local registrar, in which case the
25 local registrar shall issue death certificates as set out in subsection 2 of section 193.265. Nothing in
26 this section shall prevent the state registrar from adopting pilot programs or voluntary electronic
27 death registration programs until such time as the system can be certified; however, no such pilot or
28 voluntary electronic death registration program shall prevent the filing of a death certificate with the
29 local registrar or the ability to obtain certified copies of death certificates under subsection 2 of
30 section 193.265 until six months after such certification that the system is operational.

31 2. If the place of death is unknown but the dead body is found in this state, the certificate of
32 death shall be completed and filed pursuant to the provisions of this section. The place where the
33 body is found shall be shown as the place of death. The date of death shall be the date on which the
34 remains were found.

35 3. When death occurs in a moving conveyance in the United States and the body is first
36 removed from the conveyance in this state, the death shall be registered in this state and the place
37 where the body is first removed shall be considered the place of death. When a death occurs on a
38 moving conveyance while in international waters or air space or in a foreign country or its air space
39 and the body is first removed from the conveyance in this state, the death shall be registered in this
40 state but the certificate shall show the actual place of death if such place may be determined.

41 4. The funeral director or person in charge of final disposition of the dead body shall file the

1 certificate of death. The funeral director or person in charge of the final disposition of the dead body
2 shall obtain or verify and enter into the electronic death registration system:

3 (1) The personal data from the next of kin or the best qualified person or source available;
4 [and]

5 (2) The medical certification from the person responsible for such certification if designated
6 to do so under subsection 5 of this section; and

7 (3) Any other information or data that may be required to be placed on a death certificate or
8 entered into the electronic death certificate system including, but not limited to, the name and license
9 number of the embalmer.

10 5. The medical certification shall be completed, attested to its accuracy either by signature or
11 an electronic process approved by the department, and returned to the funeral director or person in
12 charge of final disposition within seventy-two hours after death by the physician, physician assistant,
13 assistant physician, or advanced practice registered nurse who participated in the patient's care and in
14 consultation with the attending physician who was in charge of the patient's care for the illness or
15 condition which resulted in death. In the absence of the physician, physician assistant, assistant
16 physician, or advanced practice registered nurse or with the physician's, physician assistant's,
17 assistant physician's, or advanced practice registered nurse's approval the certificate may be
18 completed and attested to its accuracy either by signature or an approved electronic process by the
19 physician's associate physician, the chief medical officer of the institution in which death occurred,
20 or the [physician] individual who performed an autopsy upon the decedent, provided such individual
21 has access to the medical history of the case, views the deceased at or after death and death is due to
22 natural causes. The person authorized to complete the medical certification may, in writing,
23 designate any other person to enter the medical certification information into the electronic death
24 registration system if the person authorized to complete the medical certification has physically or by
25 electronic process signed a statement stating the cause of death. Any persons completing the medical
26 certification or entering data into the electronic death registration system shall be immune from civil
27 liability for such certificate completion, data entry, or determination of the cause of death, absent
28 gross negligence or willful misconduct. The state registrar may approve alternate methods of
29 obtaining and processing the medical certification and filing the death certificate. The Social
30 Security number of any individual who has died shall be placed in the records relating to the death
31 and recorded on the death certificate.

32 6. When death occurs from natural causes more than thirty-six hours after the decedent was
33 last treated by a physician, physician assistant, assistant physician, or advanced practice registered
34 nurse, the case shall be referred to the county medical examiner or coroner or physician or local
35 registrar for investigation to determine and certify the cause of death. If the death is determined to
36 be of a natural cause, the medical examiner or coroner or local registrar shall refer the certificate of
37 death to the attending physician, physician assistant, assistant physician, or advanced practice
38 registered nurse for such [physician's] certification. If the attending physician, physician assistant,
39 assistant physician, or advanced practice registered nurse refuses or is otherwise unavailable, the
40 medical examiner or coroner or local registrar shall attest to the accuracy of the certificate of death
41 either by signature or an approved electronic process within thirty-six hours.

1 7. If the circumstances suggest that the death was caused by other than natural causes, the
2 medical examiner or coroner shall determine the cause of death and shall complete and attest to the
3 accuracy either by signature or an approved electronic process the medical certification within
4 seventy-two hours after taking charge of the case.

5 8. If the cause of death cannot be determined within seventy-two hours after death, the
6 attending medical examiner or coroner [or] , attending physician [or] , physician assistant, assistant
7 physician, advanced practice registered nurse, or local registrar shall give the funeral director, or
8 person in charge of final disposition of the dead body, notice of the reason for the delay, and final
9 disposition of the body shall not be made until authorized by the medical examiner or coroner,
10 attending physician, physician assistant, assistant physician, advanced practice registered nurse, or
11 local registrar.

12 9. When a death is presumed to have occurred within this state but the body cannot be
13 located, a death certificate may be prepared by the state registrar upon receipt of an order of a court
14 of competent jurisdiction which shall include the finding of facts required to complete the death
15 certificate. Such a death certificate shall be marked "Presumptive", show on its face the date of
16 registration, and identify the court and the date of decree."; and

17
18 Further amend said bill by amending the title, enacting clause, and intersectional references
19 accordingly.